

REMARKS

Applicants and the undersigned thank Examiner Wehbe for the courtesies extended during the February 3, 2010, discussion regarding the present amendment to the specification.

Support for amendments to the claims, which correct inadvertent omissions of details or structural limitations of some of the structures presented in the claimed formulae, is found in the specification at, for example, page 11, lines 7-11; page 36, lines 13-16; page 37, lines 5-7; and Example 13.

Support for the amendment to the specification is found in the original specification on page 55, lines 31-32, wherein the Applicants incorporate by reference "each of the patent documents and scientific papers identified herein is hereby incorporated by reference;" then, on page 37, lines 5-7, of the present specification, Applicants incorporate the patent documents WO 96/06097 and WO 97/31898, noting that a "variety of other synthetic dimerizing agents are disclosed in WO 96/06097 and WO 97/31898 for binding to FKBP-related domains." These cited publications fully describe the structures of the instant amendment. Hence, in compliance with 37 C.F.R. § 1.57(f), the material being inserted herein was previously incorporated by reference and the present amendment contains no new matter.

CONCLUSION

Applicants respectfully request reconsideration of this application and allowance of the pending claims in view of the above amendments and remarks.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

Date: February 17

/Mary S. Webster #27,156/

Mary S. Webster, Reg. No. 37,156

Customer Number 22204
NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000